

that all claims from 1-32 were rejected under 35 U.S.C. 102(b) as anticipated by Raith et al.

Claims 33, 34 and 35 were rejected under 35 U.S.C. 103(a) for obviousness over Raith et al. in view of Nakano et al. (5,873,047).

The rejections in claims under 35 U.S.C.102 as anticipated under 35 U.S.C. 103 and for obviousness in view of the cited prior art patents, are respectfully traversed.

The Examiner referred to Raith and rejected claims 1-9 and 17. However, it is respectfully submitted that announcing means, as claimed in the independent claims, are not taught or suggested by Raith. That is, Raith fails to teach or suggest that information concerning priority for selection of base stations by mobile stations is included in announcement information, as defined in the independent claims.

The Examiner referred to column 3, lines 54-60 of Raith and stated that each base station has traffic control means.

Further, the Examiner referred to column 12, lines 32-33. Raith described a wait control. However, Raith teaches that the base stations inform information including the traffic state of the mobile stations by using a paging channel. That is, Raith fails to teach or suggest that information concerning priority for selection of base stations in mobile

stations is included in announcement information, which is transmitted from the base stations.

Thus, each mobile station of Raith does not select one of the base stations by referring to the information concerning priority included in the announcement information sent by the base stations.

The Examiner further referred to Nakano and rejected claims 33-35.

However, Nakano teaches that information concerning the transmission powers of base stations and the levels of interference power received by the base stations are always transmitted to mobile stations by using a perch channel. Each mobile station recognizes the levels of interference power in the base stations and calculates desired reception levels from the base stations. Thus, the signal-to-interference ratio SIR used for selection of base stations is calculated.

The above approach is the ordinary wait control. That is, Nakano fails to teach or suggest that one of the base stations is selected using information concerning priority included in the announcement information sent by the base stations.

For these reasons, it is respectfully submitted that the present invention is neither anticipated nor made

obvious by the cited references whether taken alone or in combination and the rejections under 35 U.S.C. 102 and 35 U.S.C. 103 are inappropriate in this case.

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above remarks, it is believed that the independent claims 1-9, 16, 17, 26 and 33 are in condition for allowance, as well as those claims dependent directly or indirectly therefrom.

Passage of this case to allowance is earnestly solicited.

However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, not fully covered by an enclosed check, may be charged on Deposit Account No. 08-1634.

Respectfully submitted,



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